



## LOCAL PLANNING AGENCY (LPA) STAFF REPORT

**Case Number:** ZON-21-03

**LPA Public Hearing:** May 13, 2021

**Applicant:** Z & N Properties, VI, LLC,  
Attn: Edward Zbella (fka: Belcher Place, LLC)

**Representative:** Robert Pergolizzi, AICP/PTP

**Subject Property:** Approximately 2.11 acres located on the east side of Belcher Road, approximately 400 feet north of Montclair Road, in unincorporated Clearwater

**Parcel id(s):** (06/29/16/86454/000/0081,0090, 0100, 0110, 0120, 0130, 0140, 0150, 0160, 0230, 0240, 0250, 0260, 0270, 0280, & 0290)



### **REQUEST:**

A Zoning Atlas amendment from GO (General Office) to R-5-CO (Urban Residential – Conditional Overlay), with the Conditional Overlay limiting the use on the site to 10 single-family attached dwellings, and the termination of a Development Agreement. The request would allow for the development of 10 single-family attached dwellings and remove the Development Agreement that pertained to the formerly proposed office use.

### **LOCAL PLANNING AGENCY (LPA) RECOMMENDATION:**

The LPA finds that the proposed Zoning Atlas amendment and Development Agreement termination are consistent with the Pinellas County Comprehensive Plan and recommends approval. (The vote was 7-0, in favor)

### **PLANNING STAFF RECOMMENDATION:**

- **Staff recommends** that the LPA find the proposed Zoning Atlas amendment and Development Agreement termination **consistent** with the Pinellas County Comprehensive Plan, based on this report.
- **Staff further recommends** that the LPA recommend **approval** of the proposed Zoning Atlas amendment and Development Agreement termination to the Pinellas County Board of County Commissioners.

## **SUMMARY REPORT**

The Development Review Committee (DRC) reviewed this application on April 12, 2021. The DRC Staff summary discussion and analysis follows:

The subject property consists of 16 vacant parcels under common ownership totaling approximately 2.11 acres. It is designated Residential/Office General (R/OG) on the Future Land Use Map (FLUM), which allows up to 15 residential units per acre. The site is zoned GO, General Office, which allows office uses, but does not permit residential uses. There is also an active Development Agreement which limits the use on the site to office, along with additional site development restrictions.

The applicants wish to develop the property as a 10-unit single-family attached residential subdivision. They are proposing a change to R-5-CO, Urban Residential – Conditional Overlay, which allows compact, urban-style dwelling units typically comprised of smaller living spaces on smaller lots. The request, with the Conditional Overlay, would limit the density and use to 10 single-family attached residential units. By comparison, the R/OG category at the current 2.11 acres would allow up to 30 residential units.

The request also includes the termination request for the Development Agreement (DVA-20-3) approved via Case #Z/LU-2-06-05 and reinstated via Case #DA-10-5-15 and extended via Case #DVA-20-3. The active Development Agreement allows the property to be developed with certain office uses, mandates certain buffers, screening and other requirements aimed at minimizing the potential impacts on the neighboring residential area. The Board of County Commissioners originally approved the Development Agreement in 2005 but no development activity has commenced, and the property remains vacant. The current approval is good for 5 years and won't expire until 2025. The applicant wishes to terminate the Agreement to free the property from its obligations, which will provide flexibility for residential development options.

The subject property is within a predominately medium-density residential area. The area contains a mixture of single-family and multifamily uses and zoning districts. Belcher Road, adjacent to the site, is a Scenic Noncommercial Corridor (SNCC), which the requested zoning is consistent with.

Staff is of the opinion that the proposed Zoning Atlas amendment and Development Agreement termination is appropriate for the subject property. The R-5-CO zoning will provide for a single-family development at a density that is compatible with the surrounding development pattern. The maximum residential density, which is based on the FLUM and restricted by the Conditional Overlay, is not increasing, therefore additional impacts to infrastructure are not anticipated. In general, the proposal is consistent with the Pinellas County Comprehensive Plan and is appropriate for this location.

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**SURROUNDING ZONING AND LAND USE FACTS:**

	<b>Land Use Category</b>	<b>Zoning District</b>	<b>Existing Use</b>
<b>Subject Property:</b>	Residential/Office General	GO	Vacant
<b>Adjacent Properties:</b>			
<b>North</b>	Residential Medium	RM	Condominiums
<b>East</b>	Residential Low	RPD & RM	Single Family Homes
<b>South</b>	Residential Low	RPD & R-4	Single Family Homes
<b>West</b>	Residential Urban	RPD	Townhomes

**IMPLEMENTATION OF THE PINELLAS COUNTY COMPREHENSIVE PLAN**

Staff finds that the proposed amendment is consistent with the following adopted objectives and policies of the Pinellas County Comprehensive Plan:

**FUTURE LAND USE AND QUALITY COMMUNITIES ELEMENT**

- Goal 1: The pattern of land use in Pinellas County shall provide a variety of urban environments to meet the needs of a diverse population and the local economy, conserve and limit demands on natural and economic resources to ensure sustainable built and natural environments, be in the overall public interest, and effectively serve the community and environmental needs of the population.
- Objective 1.2 Establish development regulations that respond to the challenges of a mature urban county with established communities that are experiencing infill development and redevelopment activity.
- Policy 1.2.2 The Local Planning Agency (LPA) of the Board shall ensure that zoning provisions within the Land Development Code are in conformance with the density, intensity and other relevant standards contained within the Future Land Use and Quality Communities Element.
- Policy 1.2.3 Plan designations on the Future Land Use Map shall be compatible with the natural environment, support facilities and services, and the land uses in the surrounding area.
- Policy 1.2.4 Recognizing that successful neighborhoods are central to the quality of life in Pinellas County, redevelopment and urban infill development should be compatible with and support the integrity and viability of existing residential neighborhoods.

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**COUNTY DEVELOPMENT REGULATIONS**

Approval of this request does not ensure that the site can meet County development regulations, including concurrency management regulations, which apply at the time of site plan review.

**PROPOSED BCC HEARING DATE:** June 22, 2021

**CORRESPONDENCE RECEIVED TO DATE:** Correspondence received from City of Clearwater of no objection.

**PERSONS APPEARING AT THE LOCAL PLANNING AGENCY HEARING:** No one appeared in favor or in opposition.

**ATTACHMENTS: (Maps)**